

**Commonwealth of Kentucky
Personnel Cabinet
Office of Legal Services**

Open Records Request – Frequently Asked Questions

1. How do I submit an Open Records Request?

You may either submit a letter identifying the records sought, or you may use the [Records Request Form](#) located in the Personnel Cabinet's Forms Library if the request is being made to the Personnel Cabinet. Make sure you provide your name, address and daytime telephone number in the event you must be contacted for any reason.

2. To whom do I submit an Open Records Request?

Personnel Cabinet
Custodian of Records
Executive Director, Office of Legal Services
501 High Street, 3rd Floor, State Office Building
Frankfort, Kentucky 40601
Fax to: (502) 564-0224

- If the records you are seeking are under the custody and control of another agency, you should submit your request directly to the specific agency or the Personnel Cabinet will notify you where to properly submit your request.

3. Is there any cost associated with receiving a response to an Open Records Request?

- The standard cost of providing responsive records is \$.10 per page plus postage, if mailing is required.
- If a request would require computer programming, and programming is possible, there is a cost of \$30.00 to \$75.00 per hour. An estimate of time and costs to perform programming will be provided to the requestor prior to the programming being performed. Once an authorization for payment is received, programming will be performed to produce a response to the request.

4. Who do I make my check or money order payable to for an Open Records Request submitted to the Personnel Cabinet?

Your check or money order should be made payable to the Kentucky State Treasurer. Payment may be hand-delivered at the time the records are picked up or mailed to the Personnel Cabinet, Custodian of Records, Executive Director, Office of Legal Services, 501 High Street, 3rd Floor, State Office Building, Frankfort, Kentucky 40601.

5. When is payment for an Open Records Request expected?

Payment is expected at the time the records are picked up at the Personnel Cabinet, or prior to mailing.

6. Are all records maintained and in the custody of the Personnel Cabinet subject to release under the Kentucky Open Records Act?

No. Some records are exempt under the Kentucky Open Records Act, which is found at KRS [61.870 – KRS 61.884](#). Among those are employment tests or scoring, name of applicants on a register for a position with state government (with exception of the candidate selected from the register), any proprietary or preliminary documents, and public records which contain information of a personal nature where the public disclosure would constitute an unwarranted invasion of privacy.

7. What are some of the records available for release in someone's official personnel file maintained by the Personnel Cabinet?

An official personnel file maintained by the Personnel Cabinet includes all positions and titles held, compensation rates, all changes in status, and any documentation relied upon for a personnel action. Personnel Action Notifications (PANs) document these personnel actions. Previously, these documents were referred to as P-1s.

8. Is there any information purged from the records released?

Yes. Pursuant to the Kentucky Open Records Act and applicable Attorney General Decisions, certain information should be redacted. This includes all information considered to be personal and private in nature such as, social security numbers, home phone numbers, addresses, health information, veteran status, religion, or political affiliation.

9. How long does it take to receive a response to an Open Records Request?

- Generally, an agency has three (3) business days following the date of receipt to respond to an Open Records Request.
- If the documents requested are not available for release within the three (3) business days following the receipt, the requestor will be notified of the cause for delay and when the records will be available.

10. What if want to request a copy of records from my own personnel file?

You can either submit a letter requesting the records, or complete an Employee/Applicant Request for [Inspection of Records Form](#) and mail to:

Personnel Cabinet
Office of Legal Services
501 High Street, 3rd Floor
Frankfort, Kentucky 40601

11. Is there a fee for requesting my own records?

The first copy of your own file in a 12-month time period is free. If a subsequent request is made for the same records within the same 12-month time period, you will be charged \$.10 per page for all records previously provided. Any records in your file following the last request will be free of charge.